

drp

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5240 OF 2020

Shahaji Ramrao Gaikwad and Others

PETITIONERS

VERSUS

The State of Maharashtra and Others

RESPONDENTS

Mr. V. D. Hon, senior advocate i/b Mr. Abasaheb D. Shinde,
Advocate for the petitioners

Mr. K. S. Patil, AGP for respondent - State

[CORAM : SUNIL P. DESHMUKH AND
M. G. SEWLIKAR, JJ.]

DATE : 6th AUGUST, 2020

ORDER :

1. Heard learned advocates for the appearing parties.
2. Mr. Hon, learned senior advocate submits that disqualification of the petitioners has been mooted at the behest of a mischievous complaint by a person from rival group and show cause notices, as referred to in the writ petition, have been issued.
3. Learned senior advocate also further refers to that though the petition may not be entertained in respect of show cause notice, however, protection be given to the petitioners, as considered by this court, often, in several matters, as annexed to writ petition. Order dated 29th March, 2010 in writ petition No. 1556 of 2010 has

been fairly referred to, wherein this court had observed that the petition would not be entertained so far as it relates to challenge to the show cause notice, however, while the petitioners sought protection for certain period, it was directed that in the event order adverse to the interest of the petitioners is passed, the same may not be given effect to for certain period.

4. Having regard to orders, as have been annexed to the petition, we deem it appropriate to follow the suit. As such, in the event, any order adverse to the interest of the petitioners is passed, in pursuance to the show cause notice issued by respondent No. 2, the same shall not be given effect to for a period of fifteen days from the date service of order on the petitioners.

5. With aforesaid observations, writ petition stands disposed of.

6. Learned AGP may intimate aforesaid order to concerned authorities.

7. Parties to act upon authenticated copy of this order.

[M. G. SEWLIKAR]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE